

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

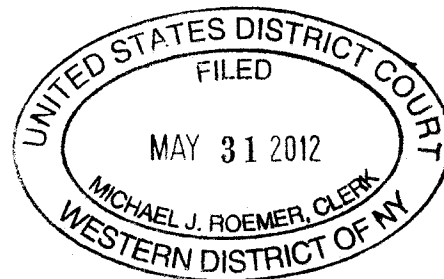
BETTE JEAN MCDONALD,

Plaintiff,

vs.

JOHN E. GILBERT, III,

Defendant.



10cv 6702

~~03 Civ. 0650~~ (KTD) (GWG)

**STIPULATION AND ORDER PROVIDING FOR THE DEPOSITION OF
CORILYNN MULLEN (FORMERLY "CORILYNN ROCK")**

WHEREAS Corilynn Mullen (formerly "Corilynn Rock") is currently incarcerated, and because the parties anticipate that she will be incarcerated at the time of the trial of plaintiff Bette Jean McDonald's claims against Officer Gilbert,

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned parties that they consent to the taking of the deposition of Corilynn Mullen, an incarcerated person, pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure, on June 8, 2012, at Bedford Hills Correctional Facility, Bedford Hills, New York, in support of Ms. McDonald's claims. The deposition will be recorded by stenographic and videographic means in accordance with Fed. R. Civ. P. 30(b)(3); parties will be accompanied in the facility by the reporter, the videographer, and the devices and electronic equipment necessary to record the deposition, including but not limited to a laptop computer and a video camera.

It is further stipulated and agreed that, because Ms. Mullen will be incarcerated at the time of the trial of Ms. McDonald's claims against Officer Gilbert, defendant Gilbert agrees to

waive any objection to admissibility of this deposition as hearsay under Fed. R. Evid.

804(b)(1)(b), but reserves his rights to object to its admissibility under Fed. R. Evid. 415 or on any other grounds.

Dated: New York, New York
May 30, 2012

THE LEGAL AID SOCIETY
PRISONERS' RIGHTS PROJECT

By: 

Veronica Vela
Dori A. Lewis
199 Water Street
New York, NY 10004

DEBEVOISE & PLIMPTON LLP

Svetlana M. Eisenberg
Kaitlin T. Farrell
919 Third Avenue
New York, NY 10022
212-909-6000

Counsel for plaintiffs

HOGAN & WILLIG, PLLC

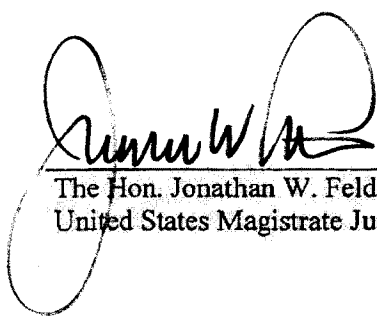
By: 

John B. Licata
2410 North Forest Road
Suite 301
Amherst, New York 14068

Counsel for defendant John Gilbert, III

SO ORDERED.

Dated: May 31, 2012
Rochester, New York


The Hon. Jonathan W. Feldman
United States Magistrate Judge